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REMARKS/DISCUSSION OF ISSUES

Specification. The Applicant has amended the specification herein correct format errors in the Abstract. No new matter was introduced by the amendment of the Abstract herein.

Claims 1-21. In the Non-Final Office Action of April 13, 2004, Examiner Chu objected to and rejected pending claims 1, 4-6, 9 and 12-21 on various grounds. The Applicant responds to each objection and rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112:

A. Examiner Chu objected to independent claim 6 for reciting "mean for"

The Applicant has amended independent claim 6 to recited "means for". Withdrawal of the objection of independent claim 6 is therefore respectfully requested.

Applicant respectfully traverses this §102(e) rejection of claims 1, 8 and 15, because *Noguchi* teaches away from the following limitations of independent claims 1, 8 and 15:

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- B. Examiner Chu advised the Applicant that claims 17-21 would be objected under 37 C.F.R. §1.75 for double patenting as being a substantial duplicate of claims 12-16.

The Applicant respectfully asserts that claims 17-21 are not duplicates of claims 12-16, respectively, because "wherein, in response to a reception of said data signal, said service processor is operable to capture hardware scan dump data related to the operational failure when an error type corresponding to the error is listed on the error table" as recited in independent claim 12 DOES NOT provoke 35 U.S.C. §112, ¶6 and "wherein said service processor includes means for capturing hardware scan dump data related to the operational failure in response to a reception of said data signal when an error type corresponding to the error is listed on the error table" recited in independent claim 17 DOES provoke 35 U.S.C. §112, ¶6. This distinction prevents a double patenting rejection of claims 17-21 as duplicates of claims 12-16, respectively.

- C. Examiner Chu rejected claims 1, 4-6, 9 and 12-21 under 35 U.S.C. §102(3) as being anticipated by U.S. Patent No. 6,105,150 to *Noguchi* et al.

The Applicant has thoroughly considered Examiner Chu's remarks concerning the patentability of pending claims 1, 4-6, 9 and 12-21 over *Noguchi*. The Applicant has also thoroughly read *Noguchi*. To warrant this anticipation rejection of pending claims 1, 4-6, 9, and 12-21, *Noguchi* must show each and every limitation of independent claims 1, 4, 6, 9, 12 and 17 in as complete detail as is contained in independent claims 1, 4, 6, 9, 12 and 17. See, MPEP §2131. The Applicant respectfully traverses this anticipation rejection of claims 1, 4-

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6, 9, and 12-21, because *Noguchi* teaches away from the following limitations of independent claims 1, 4, 6, 9, 12 and 17:

1. "searching an error table for a listing of an error type corresponding to the error indicated by the data signal" and "capturing the hardware scan dump data when the error type is listed on the error table" as recited in dependent claim 1;
2. "a storage device storing an error table listing error types that can cause specific operational failures of the computer" and "a second module operable to capture the hardware scan dump when an error type corresponding to the error is listed on the error table" as recited in independent claim 4;
3. "means for searching an error table for a listing of an error type corresponding to the error indicated by the data signal" and "means for capturing the hardware scan dump data when the error type is listed on the error table" as recited in dependent claim 6;
4. "computer readable code for searching an error table for a listing of an error type corresponding to the error indicated by the data signal" and "computer readable code for capturing the hardware scan dump data when the error type is listed on the error table" as recited in dependent claim 9;

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5. "a service processor storing an error table listing error types that can cause specific operational failures of said hardware component" and "wherein, in response to a reception of said data signal, said service processor is operable to capture hardware scan dump data related to the operational failure when an error type corresponding to the error is listed on the error table" as recited in independent claim 12; and

6. "a service processor storing an error table listing error types that can cause specific operational failures of said hardware component" and "wherein said service processor includes means for capturing hardware scan dump data related to the operational failure in response to a reception of said data signal when an error type corresponding to the error is listed on the error table" as recited in independent claim 17.

As to the traversal, the scopes of independent claims 1, 4, 6, 9, 12 and 17 encompass an error table listing error types as opposed to the teachings of *Noguchi* which encompass an error table listing the actual error that has occurred. This distinction between the present invention and *Noguchi* is unequivocal in view of a proper operational understanding of the present invention and *Noguchi*.

Specifically, the scope of independent claims 1, 4, 6, 9, 12 and 17 encompasses a "conditional" capture of hardware scan dump data based on an error table listing error types that can cause specific operational failures of a computer. For example, as illustrated in FIG. 3 of the present application, if an error has occurred and the error is a class 2 type of error, then a conditional capture of the hardware scan dump data can be provoked as illustrated in FIG. 4 of the present application.

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By comparison, *Noguchi* teaches a "targeted" capture of hardware scan dump data based on a error table that is read when an operator responds to an error message from a monitor. Unlike the present invention which lists error types, the error tables of *Noguchi*, as exemplary illustrated in FIGS. 2 and 5, set specific bits to allow the capture of hardware scan dump data to be targeted to the component having the error. See, *Noguchi* at column 5, line 1 to column 10, line 46. In fact, the present invention and *Noguchi* are well-suited to be integrated whereby the present invention as encompassed by the scope of independent claims 1, 4, 6, 9, 12 and 17 will determine if a capture of hardware dump data is warranted, and if so, the teachings of *Noguchi* will allow a targeting of the capture of the hardware dump data as related to the component having the error.

Clearly, *Noguchi* teaches an error table listing errors for allowing a "targeted" capture of hardware scan dump data and teaches away from an error table listing error types for allowing a "conditional" capture of hardware scan dump data as encompassed by the scope of independent claims 1, 4, 6, 9, 12 and 17. Withdrawal of the rejection of independent claims 1, 4, 6, 9, 12, and 17 under U.S.C. §102(e) as being anticipated by *Noguchi* is therefore respectfully requested.

Claim 5 depends from independent claim 4. Therefore, dependent claim 5 includes all of the elements and limitations of independent claim 4. It is therefore respectfully submitted by the Applicant that dependent claim 5 is allowable over *Noguchi* for at least the same reason as set forth herein with respect to independent claim 4 being allowable over *Noguchi*. Furthermore, the Applicant respectfully asserts that *Noguchi* teaches away from the limitation of dependent claim 5 for the same reason as set forth herein with respect to independent claim 4. Withdrawal of the rejection of dependent claim 5 under U.S.C. §102(e) as being anticipated by *Noguchi* is therefore respectfully requested.

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Claims 13-16 depend from independent claim 12. Therefore, dependent claims 13-16 include all of the elements and limitations of independent claim 12. It is therefore respectfully submitted by the Applicant that dependent claims 13-16 are allowable over *Noguchi* for at least the same reason as set forth herein with respect to independent claim 12 being allowable over *Noguchi*. Furthermore, the Applicant respectfully asserts that *Noguchi* teaches away from limitation of dependent claim 16 for the same reason as set forth herein with respect to independent claim 12. Withdrawal of the rejection of dependent claims 13-16 under U.S.C. §102(e) as being anticipated by *Noguchi* is therefore respectfully requested.

Claims 18-21 depend from independent claim 17. Therefore, dependent claims 18-21 include all of the elements and limitations of independent claim 17. It is therefore respectfully submitted by the Applicant that dependent claims 18-21 are allowable over *Noguchi* for at least the same reason as set forth herein with respect to independent claim 17 being allowable over *Noguchi*. Furthermore, the Applicant respectfully asserts that *Noguchi* teaches away from the limitation of dependent claim 21 for the same reason as set forth herein with respect to independent claim 17. Withdrawal of the rejection of dependent claims 18-21 under U.S.C. §102(e) as being anticipated by *Noguchi* is therefore respectfully requested.

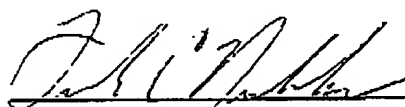
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CONCLUSION

The Applicant respectfully submits that claims 1-21 as listed herein fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

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